



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

*Promoting the wise use of land
Helping build great communities*

SUBDIVISION REVIEW BOARD

MEETING DATE November 2, 2015	CONTACT/PHONE Megan Martin mamartin@co.slo.ca.us (805)781-4163	APPLICANT James and Linda Davis	FILE NO. COAL15-0035 SUB2014-00053
SUBJECT Hearing to consider a request by JAMES AND LINDA DAVIS for a Lot Line Adjustment (COAL15-0035) to adjust the lot lines between three (3) parcels of 6,367 square feet, 4,824 square feet, and 9,931 square feet each, resulting in three (3) parcels of 7,706 square feet, 5,998 square feet, and 7,418 square feet, respectively. The adjustment will also result in the realignment of an existing Cayucos Sanitary District's sewer easement at the rear of the three properties. The adjustment will not result in the creation of any additional parcels. The proposed project is within the Residential Single Family land use category at 2632 and 2640 Richard Avenue. The third parcel is located on the east side of Santa Barbara Avenue, approximately 150 feet east of Orville Avenue. The project site is in the community of Cayucos within the Estero Planning Area.			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL15-0035 (SUB2014-00053) based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A General Rule Exemption (ED15-043) was issued on August 24, 2015.			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Geologic Study Area	ASSESSOR PARCEL NUMBER 064-203-041, 064-203-050, 064-203-070	SUPERVISOR DISTRICT 2
PLANNING AREA STANDARDS: Estero Area Plan- Cayucos Urban Area Standards			
LAND USE ORDINANCE STANDARDS: Section 21.02.030 – Real Property Division Ordinance – Lot Line Adjustment Section 23.04.028 – Residential Single Family and Multi Family Categories Section 23.07.080 – Geologic Study Area			
EXISTING USES: Single Family Residences, Vacant.			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Single Family; Single Family Residences South: Residential Multi-Family; Single Family Residences East: Residential Single Family; Single Family Residences West: Residential Single Family; Single Family Residences			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Cayucos Citizens Advisory Council, Public Works, Cayucos Fire, Cayucos Sanitary, County Service Area 10, California Coastal Commission	
TOPOGRAPHY: Moderately Sloping	VEGETATION: Developed, Open Space
PROPOSED SERVICES: Water supply: County Service Area No. 10 Sewage Disposal: Cayucos Sanitary District Fire Protection: Cayucos Fire	ACCEPTANCE DATE: August 24, 2015

BACKGROUND

Parcels 1 and 2 are currently developed with single family residences. Parcel 3 is vacant with scattered grasses and shrubs. There is an existing sewer easement located at the rear of all three parcels.

PROJECT DESCRIPTION

The proposed lot line adjustment involves the reconfiguration of three (3) parcels of 6,367 square feet, 4,824 square feet, and 9,931 square feet each, resulting in three (3) parcels of 7,706 square feet, 5,998 square feet, and 7,418 square feet, respectively. The three existing parcels are within the Residential Single Family land use category. The adjustment will also result in the realignment of the existing Cayucos Sanitary District's sewer easement at the rear of the property. The purpose of the adjustment is to more nearly equalize the parcel sizes and allow space for landscaping. The adjustment will not result in the creation of any additional parcels.

ESTERO PLANNING AREA STANDARDS:**Cayucos Urban Area Standards**

Land Division and Land Use Permits: Application Content. All applications for new land divisions and land use permits for new development shall be accompanied by letters from the applicable water purveyor and the Cayucos Sanitary District stating their intent to serve the proposed project.

Staff Response: For purposes of a lot line adjustment, a preliminary intent to serve letter or will-serve letter is not necessary; however, because the lot line adjustment will result in the reconfiguration of an existing sewer line easement, the applicant provided a Conditional Sewer Will Serve Letter from Cayucos Sanitary District stating they had no concerns with the proposed adjustment and they intend to continue to serve both 2650 and 2632 Richard Avenue. The applicant will be required to amend the existing sewer easement with the Cayucos Sanitary District prior to finaling of the lot line adjustment map.

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between three legal parcels as follows:

Parcel No.	EXISTING LOT SIZES (Square Feet)	ADJUSTED PARCEL SIZES (Square Feet)
1	6,367	7,706
2	4,824	5,998

3	9,931	7,418
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Parcel Design

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The adjustment will result in the reconfiguration of the three parcels to more nearly equalize the parcel sizes and allow access to sewer easements.

Minimum Lot Size

Section 23.04.028 of the Coastal Land Use Ordinance establishes a minimum parcel size in the Residential Single-Family and Multi-Family land use categories based on a series of tests: Size based on lot access, slopes, and sewage disposal facilities. The minimum lot size requirement for each parcel is 15,000 square feet and this reconfiguration brings the parcels closer to this lot size. Prior to and following the adjustment, the parcels will be below the minimum required parcel size, however the adjustment creates better access to utilities onsite and a reflection of topography whereby the owners can obtain space for landscaping.

Geologic Study Area

Section 23.07.080 of the Coastal Land Use Ordinance does not apply to the proposed project because the project includes the adjustment of a lot line, without any development or increased potential for development. However, if built upon the application must provide a Geology Report.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcels as adjusted are consistent with the minimum parcel sizes as set forth in the General Plan, staff has concluded that the adjustment is consistent with both state and local law.

COASTAL PLAN POLICIES:

Shoreline Access: N/A

Recreation and Visitor Serving: N/A

Energy and Industrial Development: N/A

Commercial Fishing, Recreational Boating and Port Facilities: N/A

Environmentally Sensitive Habitats: N/A

Agriculture: N/A

Public Works: ☒ Policy No(s): 1

Coastal Watersheds: N/A

Visual and Scenic Resources: N/A

Hazards: ☒ N/A Policy No(s): 2, 7

Archeology: N/A

Air Quality: N/A

COASTAL PLAN POLICY DISCUSSION:

Public Works

Policy 1: New development (including divisions of land) shall demonstrate that adequate public or private service capacities are available to serve the proposed development. Prior to permitting all new development, a finding shall be made that there are sufficient services to serve the proposed development given the already outstanding commitment to existing lots within the urban service line for which services will be needed consistent with the Resource Management System where applicable.

Staff Response: The project site is served by the County Service Area 10 and Cayucos Sanitary District. The Cayucos Sanitary District confirmed the availability of sewer for the existing Single Family Residences at 2640 and 2632 Richard Avenue in a letter dated August 27, 2015 and that there were no concerns with the proposed adjustment. Existing water service is provided by County Service Area 10 to both 2640 and 2632 Richard Avenue.

Hazards

Policy 2: New development shall ensure structural stability while not creating or contributing to erosion or geological instability.

Staff Response: This proposed adjustment does not include further development on the parcels nor does it increase development potential. Future development on the vacant parcel, Parcel 3, will be required to submit a geologic report that ensures the structural stability of the development.

Policy 7: The GSA combining designation in coastal areas of the county is amended to include all coastal bluffs and cliffs greater than 10 feet in vertical relief and that are identified in the Assessment and Atlas of Shoreline Erosion (DNOD, 1977) as being critical to future or present development. Maps clearly distinguish the different geologic and seismic hazards which the county covers by the GSA combining designation. These hazards shall include steep slopes, unstable slopes, expansive soils, coastal cliff and bluff instability, active faults, liquefaction and tsunامي.

Staff Response: The project site is within the GSA combining designation due to the steeply sloping topography and land slide potential. The proposed adjustment is not proposing any new development on the parcels.

LEGAL LOT STATUS:

Four of the five existing parcels were legally created by a recorded map, Map of Morro Strand Unit No. 5 (Book 5 of Maps, Page 11), Block 78, Lots 8 and 9 (APN: 064-203-070), and Lots 35 and 36 (APN: 064-203-041) at a time when that was a legal method of creating lots.

One of the five existing parcels was legally created by a recorded map, Lot Line Adjustment COAL 73-416, Parcel B (Book 13, Page 89 of Parcel Maps) at a time when that was a legal method of creating parcels (APN: 064-203-050).

Staff report prepared by Jacqueline Protsman and reviewed by Megan Martin and Terry Wahler.